

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: THE UPPER CRUST, INC.

§ Case No. 09-13295-JS

§

§

Debtor(s)

§

**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on July 15, 2009. The undersigned trustee was appointed on April 14, 2009.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 10,602.30

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>2,075.00</u>
Administrative expenses	<u>756.45</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>0.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of <sup>1</sup>	\$ <u>7,770.85</u>

The remaining funds are available for distribution.

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 12/21/2009 and the deadline for filing governmental claims was 12/21/2009. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$1,810.23. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$1,500.00, for a total compensation of \$1,500.00. <sup>2</sup>In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$350.00, for total expenses of \$350.00.<sup>2</sup>

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 10/18/2010 By: /s/DAVID GROCHOCINSKI, TRUSTEE  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 09-13295-JS

Trustee: (520067) DAVID GROCHOCINSKI, TRUSTEE

Case Name: THE UPPER CRUST, INC.

Filed (f) or Converted (c): 07/15/09 (c)

§341(a) Meeting Date: 08/25/09

Period Ending: 10/18/10

Claims Bar Date: 12/21/09

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 CASH	350.00	0.00	DA	0.00	FA
2 CHECKING	1,005.00	1,005.00		5,698.96	FA
3 SECURITY DEPOSIT	4,200.00	4,200.00	DA	0.00	FA
4 RECEIVABLES	7,000.00	7,000.00	DA	0.00	FA
5 OFFICE EQUIPMENT	1,500.00	1,500.00	DA	0.00	FA
6 MACHINERY ETC.	8,016.00	8,016.00		4,900.00	FA
7 INVENTORY	3,000.00	3,000.00	DA	0.00	FA
Int INTEREST (u)	Unknown	N/A		3.34	Unknown
8 Assets Totals (Excluding unknown values)	\$25,071.00	\$24,721.00		\$10,602.30	\$0.00

**Major Activities Affecting Case Closing:**

COLLECTED FUNDS FROM BANK ACCOUNTS; SOLD PHYSICAL ASSETS OF RESTAURANT; PAID SECURED CREDITOR AND RETAINED SOME FUNDS UNDER 506(C); ACCOUNTANT TO BE EMPLOYED FOR FINAL TAX RETURNS

Initial Projected Date Of Final Report (TFR): December 30, 2011

Current Projected Date Of Final Report (TFR): June 30, 2011

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 09-13295-JS  
**Case Name:** THE UPPER CRUST, INC.

**Trustee:** DAVID GROCHOCINSKI, TRUSTEE (520067)  
**Bank Name:** JPMORGAN CHASE BANK, N.A.  
**Account:** \*\*\*-\*\*\*\*\*07-65 - Money Market Account  
**Blanket Bond:** \$5,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*4997  
**Period Ending:** 10/18/10

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
10/26/09	{2}	LISLE SAVINGS BANK	TURNOVER OF FUNDS	1129-000	2,253.53		2,253.53
10/26/09	{2}	LISLE SAVINGS BANK	TURNOVER OF FUNDS	1129-000	3,445.43		5,698.96
10/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.02		5,698.98
11/18/09	{6}	JAMES MILLER	SALE OF ASSETS	1129-000	4,900.00		10,598.98
11/20/09	1001	SYED MOUSAVI	PER ORDER OF 11/13/09	2410-000		750.00	9,848.98
11/24/09	1002	BANK OF AMERICA	PER ORDER OF 11/13/09/RELEASE OF LIENS	4220-000		2,075.00	7,773.98
11/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.31		7,774.29
12/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.38		7,774.67
01/29/10	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.33		7,775.00
02/05/10	1003	INTERNATIONAL SURETIES, LTD.	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/31/2009 FOR CASE #09-13295, BOND#016026455	2300-000		6.45	7,768.55
02/26/10	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.29		7,768.84
03/31/10	Int	JPMORGAN CHASE BANK, N.A.		1270-000	0.34		7,769.18
04/06/10	Int	JPMORGAN CHASE BANK, N.A.	Current Interest Rate is 0.0500%	1270-000	0.05		7,769.23
04/06/10		Wire out to BNYM account 9200*****0765	Wire out to BNYM account 9200*****0765	9999-000	-7,769.23		0.00

<b>ACCOUNT TOTALS</b>	<b>2,831.45</b>	<b>2,831.45</b>	<b>\$0.00</b>
Less: Bank Transfers	-7,769.23	0.00	
<b>Subtotal</b>	<b>10,600.68</b>	<b>2,831.45</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$10,600.68</b>	<b>\$2,831.45</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 09-13295-JS  
**Case Name:** THE UPPER CRUST, INC.

**Trustee:** DAVID GROCHOCINSKI, TRUSTEE (520067)  
**Bank Name:** JPMORGAN CHASE BANK, N.A.  
**Account:** \*\*\*-\*\*\*\*\*07-66 - Checking Account  
**Blanket Bond:** \$5,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*4997  
**Period Ending:** 10/18/10

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

(No Transactions on File for this Period)

<b>ACCOUNT TOTALS</b>	<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 09-13295-JS  
**Case Name:** THE UPPER CRUST, INC.

**Trustee:** DAVID GROCHOCINSKI, TRUSTEE (520067)  
**Bank Name:** The Bank of New York Mellon  
**Account:** 9200-\*\*\*\*\*07-65 - Money Market Account  
**Blanket Bond:** \$5,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*4997

**Period Ending:** 10/18/10

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
04/06/10		Wire in from JPMorgan Chase Bank, N.A. account *****0765	Wire in from JPMorgan Chase Bank, N.A. account *****0765	9999-000	7,769.23		7,769.23
04/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	0.26		7,769.49
05/28/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	0.33		7,769.82
06/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	0.32		7,770.14
07/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	0.33		7,770.47
08/31/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	0.32		7,770.79
09/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.06		7,770.85

<b>ACCOUNT TOTALS</b>	<b>7,770.85</b>	<b>0.00</b>	<b>\$7,770.85</b>
Less: Bank Transfers	7,769.23	0.00	
<b>Subtotal</b>	<b>1.62</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$1.62</b>	<b>\$0.00</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 09-13295-JS  
**Case Name:** THE UPPER CRUST, INC.

**Taxpayer ID #:** \*\*-\*\*\*4997  
**Period Ending:** 10/18/10

**Trustee:** DAVID GROCHOCINSKI, TRUSTEE (520067)  
**Bank Name:** The Bank of New York Mellon  
**Account:** 9200-\*\*\*\*\*07-66 - Checking Account  
**Blanket Bond:** \$5,000,000.00 (per case limit)  
**Separate Bond:** N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

(No Transactions on File for this Period)

<b>ACCOUNT TOTALS</b>	<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

Net Receipts : 10,602.30

Net Estate : \$10,602.30

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # ***-*****07-65	10,600.68	2,831.45	0.00
Checking # ***-*****07-66	0.00	0.00	0.00
MMA # 9200-*****07-65	1.62	0.00	7,770.85
Checking # 9200-*****07-66	0.00	0.00	0.00
	<b>\$10,602.30</b>	<b>\$2,831.45</b>	<b>\$7,770.85</b>

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 09-13295-JS

Case Name: THE UPPER CRUST, INC.

Trustee Name: DAVID GROCHOCINSKI, TRUSTEE

**Balance on hand:** \$ 7,770.85

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
N/A					

Total to be paid to secured creditors: \$ 0.00

Remaining balance: \$ 7,770.85



Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - DAVID GROCHOCINSKI, TRUSTEE	1,500.00	0.00	1,500.00
Trustee, Expenses - DAVID GROCHOCINSKI, TRUSTEE	350.00	0.00	350.00
Attorney for Trustee, Fees - GROCHOCINSKI , GROCHOCINSKI & LLOYD, LTD.	2,182.50	0.00	2,182.50
Attorney for Trustee, Expenses - GROCHOCINSKI , GROCHOCINSKI & LLOYD, LTD.	59.13	0.00	59.13
Accountant for Trustee, Fees - SCOTT, HOREWITCH, PIDGEON & ABRAMS, LLC	2,520.00	0.00	2,520.00

Total to be paid for chapter 7 administration expenses: \$ 6,611.63

Remaining balance: \$ 1,159.22

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$89,866.57 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
	UNITED STATES TREASURY	116.70	0.00	8.30
	ILLINOIS DIRECTOR OF EMPLOYMENT SECURITIES	488.63	0.00	34.73
	JP MORGAN CHASE	211.51	0.00	15.04
	JP MORGAN CHASE	904.32	0.00	64.28
10P-2	Illinois Department of Revenue	4,236.25	0.00	0.00
12	Jacob Eaton	875.00	0.00	62.21
13	Lynn Horejs	346.00	0.00	24.60
14	Sylvia Sanders	1,400.00	0.00	99.52
15	Fernando Ruiz	2,450.00	0.00	174.17
17	Ana Alvarado	3,110.25	0.00	221.09
18	Lucia Alvarado	1,842.00	0.00	130.95
19	Maria Alvarado	1,937.00	0.00	137.70
20	Eloise Aguilar	2,625.71	0.00	186.65
21	Illinois Department of Revenue	8,244.37	0.00	0.00
23P	Internal Revenue Service	59,160.60	0.00	0.00
24P	Illinois Department of Employment Security	1,918.23	0.00	0.00

Total to be paid for priority claims: \$ 1,159.24

Remaining balance: \$ -0.02

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 462,744.67 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full.

The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	Val and Rosemary Coler	46,930.67	0.00	0.00
2	John Zydowicz	218,386.33	0.00	0.00
3	Bake Mark USA LLC	9,981.74	0.00	0.00
4	Advance Me, Inc.	37,110.45	0.00	0.00
5	Molly Heller	10,488.11	0.00	0.00
6	Dell Financial Services, LLC	271.19	0.00	0.00
7	ComEd	381.70	0.00	0.00
8	American Express Bank FSB	13,718.83	0.00	0.00
9	Cintas	538.23	0.00	0.00
10U-2	Illinois Department of Revenue	25.00	0.00	0.00
11	Bake Mark USA LLC	8,703.20	0.00	0.00
16	Paychex Inc	193.42	0.00	0.00
22	Dr. Syed Mousavi	116,015.80	0.00	0.00

Total to be paid for timely general unsecured claims:	\$	0.00
Remaining balance:	\$	-0.02

Tardily filed claims of general (unsecured) creditors totaling \$ 26,675.41 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
23U	Internal Revenue Service	26,525.41	0.00	0.00
24U	Illinois Department of Employment Security	150.00	0.00	0.00

Total to be paid for tardy general unsecured claims: \$ 0.00

Remaining balance: \$ -0.02

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
N/A				

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ -0.02